

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

INCOME TAX REFERENCE NO. 185 OF 1995

The Commissioner of Income Tax, Bombay .. Applicant
V/s.
Shri Laxman T. Sanap Patil, Bombay .. Respondent

Mr. R.V. Desai with Ms. S.V. Bharucha and Mr. R.
Ashokan for the Applicant
None present for the Respondent

CORAM : S. RADHAKRISHNAN &
 J.P. DEVADHAR, JJ.
DATED : 22.02.2005

P.C. :-

1. Heard the learned counsel for the Applicant. The question referred to reads as under:-

1. Whether on the facts and in the circumstances of the case, the Tribunal was right in law in holding that the assessee is entitled for a deduction for expenses at 40% of incentive bonus received from L.I.C. of India by the assessee who is a Development Officer.

2. In view of the decision in **C.I.T. v. Gopalkrishna Suri 248 ITR 819 (S.C.)**, the question is answered in the negative, i.e. favour of the Revenue and against the assessee.

(S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)